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APR 26 2005

In re Application of
Timothy F. Thomas et al.
Serial No. 10/022,016
Filed: December 13, 2001
For: DUAL-LID CIGARETTE
CONTAINER AND METHOD OF
PACKAGING CIGARETTES

NOTICE OF WITHDRAWAL
FROM ISSUE
UNDER 37 CFR 1.313(b)

The above-identified application is hereby withdrawn from issue after payment of the issue fee due to unpatentability of one or more claims. See 37 CFR 1.313(b)(3). Consideration of the prior art submitted in the Information Disclosure Statement filed on March 3, 2005 (after allowance but prior to payment of the Issue Fee) showed that one or more claims are unpatentable.

The issue fee is refundable upon written request. If, however, the application is again found allowable, the issue fee can be applied toward payment of the issue fee in the amount identified on the new Notice of Allowance and Issue Fee Due upon written request. This request and any balance due must be received on or before the due date noted in the new Notice of Allowance in order to prevent abandonment of the application.

Telephone inquiries should be directed to Mickey Yu, SPE, Art Unit 3728 at (571) 272-4562. The above-identified application is being forwarded to the examiner for prompt appropriate action, including notifying applicant of the new status of this application.

E. R. Kazenske, Director
Technology Center 3700

Kilpatrick Stockton, LLP
1001 West Fourth Street
Winston-Salem, NC 27101